



## **New Jersey Department of Children and Families Policy Manual**

Manual:	NJAC	NJ Administrative Code Excerpts	Effective Date:
Title	10	Human Services	
Chapter	133	Service Delivery General Provisions	5-20-2010
Subchapter:	1	General Provisions	
Section	4	<b>Rights of applicants and clients (N.J.A.C. 10:133-1.4)</b>	

### **§10:133-1.4 Rights of applicants and clients**

(a) Any person who currently resides in New Jersey shall have the right to apply for any child welfare services or child protective services provided by the Division.

(b) Any person within New Jersey may apply for child welfare services or protective services as specified in N.J.S.A. 30:4C-11.

(c) Anyone requesting to apply in person for services shall be given the opportunity to do so immediately.

(d) An applicant or client may orally or in writing authorize a representative to speak and act on his or her behalf. If the applicant or client is incompetent or incapacitated or in an emergency, the application may be signed for him or her by someone determined by the Division to be able to act responsibly on his or her behalf, including a Division representative. The Division representative shall help the client, applicant or representative complete the application, if necessary.

(e) The applicant, client, or representative requesting or requiring services shall have the right to make application in writing.

(f) The applicant, client, or representative shall receive a copy of the completed application.

(g) The applicant or client shall receive written information about:

1. The Division's authority to provide service and conduct protective service investigations;
2. Services available through the Division;
3. The Division's mission;
4. The role of the Division representative;
5. The rights of applicants and clients including their right to consult an attorney;

6. When and how an applicant or client may appeal an action taken by or decision made by the Division;

7. The definition of an abused or neglected child;

8. The purpose and general procedures for a child protective service investigation;

9. The purpose and general procedures for an assessment;

10. Parental financial responsibilities when receiving Division services;

11. How to reach the Division by telephone during normal working hours and after working hours;

12. Child Placement Review and placement reviews when placement has been requested or is otherwise indicated; and

13. The Notice of Privacy Practices pursuant to the Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. §§ 164 et seq.

(h) Confidential information shall be defined and treated as provided for in N.J.A.C. 10:133G, Client Information.

(i) The Division shall not discriminate against an applicant or client on the basis of race; color/ ethnicity; national origin' age; handicapping condition; gender' religion' marital, civil union, domestic partnership. Parental or birth status; affectional or sexual orientation, as defined at N.J.S.A. 10:5-5hh; or gender identity or expression, as defined at N.J.S.A. 10:5-5rr.

(j) The applicant, client or reporter, if a request is made, shall have the right to receive a written disposition from the Division as soon as practical but not later than 10 calendar days from the date upon which a finding of substantiated or unfounded is made or upon which a decision to provide or not to provide child welfare services is made.

(k) Each applicant or client shall be informed of:

1. The Division's responsibilities, as listed in N.J.A.C. 10:133-1.6;

2. Eligibility factors used by the Division;

3. The Division's legal responsibility to investigate certain abuse or neglect reports or referrals;

4. Other resources in the community or courses of action, which might meet his or her needs;

5. Why the Division is involved with him or her and the family, if the person did not ask for help;

6. What the Division expects from him or her and the child; and

7. What services can be provided.

(l) An applicant or client shall have the right to have the rules of this chapter followed.

(m) The applicant or client shall have the right to accept or refuse any involvement or services offered by the Division, unless a court order requires the Division to provide them, and the court order requires the applicant or client to utilize the service.